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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**NOTICE OF HEARING ON
MOTION TO WITHDRAW
MOTION TO ALLOW CLAIMS
BASED UPON INVESTMENT IN
THE COPPER SAGE PHASE II
LOAN [DE 8917]**

AND

**OMNIBUS OBJECTION TO
CLAIMS BASED UPON
INVESTMENT IN THE COPPER
SAGE PHASE II LOAN**

**Date of Hearing: November 15, 2011
Time of Hearing: 9:30 a.m.
Estimated Time for hearing: 10 min.**

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR
CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE
COPPER SAGE PHASE II LOAN. THE USACM TRUST CONTENDS THAT
YOU DO NOT HAVE A COMPLETELY VALID CLAIM BASED UPON YOUR
INVESTMENT IN THIS LOAN BECAUSE YOU ASSIGNED YOUR INTEREST
IN THE LOAN TO PLATINUM PROPERTIES CS II, LLC. THIS OBJECTION**

1 WILL NOT IMPACT YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN
2 INVESTMENT IN A DIFFERENT LOAN.

3 **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY**
4 **COURT TO DISCUSS THE MERITS OF YOUR CLAIM.** QUESTIONS
5 REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM
6 SHOULD BE DIRECTED TO UNDERSIGNED COUNSEL, JOHN HINDERAKER
7 (520-629-4430).

8 NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and
9 through its counsel, has filed its Omnibus Objections to Proofs of Claim Based Upon
10 Investment in the Copper Sage Phase II Loan (with Certificate of Service) (the
11 “Objection”). Your Proof of Claim number and other information regarding your claim is
12 provided in **Exhibit A**, attached to the Objection. The USACM Liquidating Trust has
13 requested that this Court enter an order, pursuant to section 502 of title 11 of the United
14 States Code (the “Bankruptcy Code”) and Rule 3007 of the Federal Rules of Bankruptcy
15 Procedure (the “Bankruptcy Rules”), disallowing your Claim to the extent it is based upon
16 an investment in the Copper Sage Phase II Loan. The Objection will not impact your
17 Claim to the extent it is based upon an investment in a different loan.

18 NOTICE IS FURTHER GIVEN that the hearing on the Objection will be held
19 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
20 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
21 **November 15, 2011, at the hour of 9:30 a.m.**

22 NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON
23 NOVEMBER 15, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS
24 CHECKS AND SCHEDULING EVIDENTIARY HEARINGS ONLY. NO
25 ARGUMENTS WILL BE HEARD ON THAT DATE.
26

NOTICE IS FURTHER GIVEN that pursuant to Local Rule 9014(d), any response to the objection must be filed and service must be completed no later than **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: October 7, 2011

LEWIS AND ROCA LLP

By /s/John Hinderaker (AZ 18024)

Robert M. Charles, Jr., NV 6593

John Hinderaker, AZ 18024 (*pro hac vice*)

Marvin Ruth, NV 10979

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Attorneys for the USACM Liquidating Trust

Copy of the foregoing mailed by first class postage prepaid U.S. Mail on October 7, 2011 to all parties listed on Exhibit A attached to the Objection [DE 9331].

LEWIS AND ROCA LLP

/s/ Renee Creswell
Renee Creswell